

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TONY BENNETT a/k/a
ANSAR EL MUHAMMAD,

Plaintiff,

v.

Sheriff AHERN,

Defendant.

No. C 08-4223 MHP (pr)

ORDER OF DISMISSAL

On March 3, 2009, mail was sent from the court to plaintiff at the address he provided to the court and was returned undelivered on April 2, 2009, marked "return to sender" and "not in custody." Plaintiff has not provided any address other than the one to which the undeliverable mail was sent. More than sixty days have passed since the mail was returned to the court undelivered. Plaintiff has failed to comply with Local Rule 3-11(a) which requires that a party proceeding pro se must "promptly file with the Court and serve upon all opposing parties a Notice of Change of Address specifying the new address" when his address changes. Local Rule 3-11(b) allows the court to dismiss a complaint without prejudice when mail directed to a pro se party is returned as not deliverable and the pro se party fails to send a current address within sixty days of the return of the undelivered mail

For the foregoing reasons, this action is dismissed without prejudice because plaintiff failed to keep the court informed of his address in compliance with Local Rule 3-11(a). The clerk shall close the file.

IT IS SO ORDERED.

Dated: July 2, 2009


Marilyn Hall Patel
United States District Judge